FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6294 OF 2004

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr. Amesh Parlikar for the petitioner.

CORAM : R.S. MOHITE,J.
DATED : 24.11.2005.

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P.C.

1. This petition impugns an order dated 25.2.2003 passed by the Asstt. Registrar of Co.operative Societies in Recovery Application No.858/02-03 to 861/02-03. The proceedings are for recovery of Rs.5,34,77.795/-. One of the objections was that the recovery officer has no jurisdiction to entertain the application as the same was more than Rs.10/-lacs and that the applicant being the banking company as defined in Recovery of Debts due to banks and Financial Institutions Act 1993, Debt Recovery Tribunal has

jurisdiction to try the same to effect the recovery . Though, the full bench of our court has ruled on this point in favour of the petitioner, the operation of the said judgment and order has been stayed by the Supreme Court. The other point relating to jurisdiction will be decided when the recovery proceedings are finally adjudicated. I am therefore, not inclined to entertain this petition. Same is rejected.

(R. S. MOHITE, J.)